

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 INRE-00 SSO-00 /029 W

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FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 3429

INFO AMEMBASSY LONDON

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E.O. 11652: N/A

TAGS: EAIR, GW

SUBJECT: CIVAIR: PAA CHEVROLET CHARTERS

REF: STATE 236424

1. SUMMARY. EMBASSY APPROACHED FOREIGN OFFICE AND TRANSPORT MINISTRY ON MATTER OF PAN AM OPEN JAW CHARTERS BUT WERE TOLD THAT THEY WERE PROHIBITED UNDER PRESENT REGULATIONS AND THERE WAS NO CHANCE FOR EXCEPTION. ONLY CONCESSION WAS ADMISSION THAT CURRENT REGULATIONS MIGHT BE TOO RESTRICTIVE AND PROMISE THAT THEY WOULD BE REVIEWED AND CHANGES CONSIDERED BUT NOT BEFORE END OF YEAR. ACTION REQUESTED: EMBASSY WOULD WELCOME ANY FURTHER ARGUMENTATION DEPARTMENT CAN PROVIDE. END SUMMARY.

2. ACTING CAA DISCUSSED PAN AM OPEN JAW CHARTER WITH NIESTER OF FEDERAL MINISTRY OF TRANSPORT (FMT) OCTOBER 6. HE CONFIRMED THAT PAN AM HAD BEEN REFUSED PERMISSION TO FLY CHARTERS DESCRIBED REFTTEL. HE ADMITTED THAT THERE IS NO REGULATION PROHIBITING SUCH CHARTER BUT SAID THAT UNDER FRG ADMINISTRATIVE SYSTEM SUCH FLIGHTS WOULD BE PROHIBITED UNTIL SPECIFICALLY PERMITTED BY A REGULATION. HE SAID THIS WAS STANDING PRACTICE, THAT FRG HAD ON THIS BASIS

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REFUSED MULTI-STOP CHARTERS INCLUDING OPEN JAW OVER

CONSIDERABLE PERIOD OF TIME AND THAT PAN AM AWARE OF THIS. HE INSISTED THAT AN AMERICAN CARRIER (LATER IDENTIFIED BY A FOREIGN OFFICE OFFICIAL AS TWA) DID IN FACT APPLY FOR SUCH A FLIGHT ON JULY 30, 1975, AND WAS TURNED DOWN, BUT MADE CLEAR THAT PAN AM WOULD HAVE BEEN REFUSED WHETHER THAT HAD HAPPENED OR NOT, BECAUSE THERE IS AS YET NO GROUNDS FOR PERMITTING SUCH FLIGHTS. THE CIRCULAR CITED REFTEL PERMITTED ONLY ONE TYPE OF OPEN JAW CHARTER AND DID NOT EFFECT POLICY ON OTHER TYPES. ONLY THING NIESTER WOULD CONCEDE IS THAT THERE IS PERHAPS NEED FOR A NEW REGULATION GRANTING OPEN JAW CHARTERS WITHIN GERMANY. HE SAID THAT THERE WOULD BE A REVIEW AT THE END OF THE YEAR AND POSSIBLY A NEW POLICY FOR THE NEXT SUMMER SEASON. HOWEVER, THERE WAS NO WAY HE COULD PERMIT THE OCTOBER FLIGHTS PAN AM DESIRES. (PAN AM MADE FORMAL APPLICATION ONLY TODAY ALTHOUGH IT MADE FIRST INFORMAL SOUNDINGS SOME WEEKS AGO.) NIESTER SAID RECIPROCITY DID NOT ENTER IN BECAUSE OF RESTRICTION IN U.S. ON GERMAN CARRIER IN OTHER THAN CHARTER MATTERS.

3. EMBASSY ECONOMICS MINISTER/COUNSELOR THEN CALLED AMBASSADOR JIRKA WHO IS IN CHARGE OF TRANSPORTATION AND COMMUNICATIONS MATTERS IN FOREIGN OFFICE. JIRKA CONTACTED NIESTER AND THEN INFORMED MINISTER COUNSELOR THAT NIESTER STICKING TO HIS DECISION AND HE DID NOT FEEL ABLE TO CHANGE HIM AT THIS TIME. HE GAVE SOMEWHAT MORE HOPEFUL VERSION OF POSSIBILITY OF CHANGE IN POLICY SAYING THAT FRG FELT PERHAPS CURRENT REGULATIONS WERE TOO RESTRICTIVE AND WOULD LIKE TO CHANGE IT AFTER END OF YEAR REVIEW.

4. COMMENT: IN VIEW OF TIME FACTOR AND FRG OBDURACY WE SEE NO ALTERNATIVE TO PAN AM ARRANGING ALTERNATE ROUTING, PRESUMABLY WITH INITIAL STOP IN SALZBURG. WE STILL CONTINUE TO PRESS FOR MORE LIBERAL REGULATIONS FOR FUTURE. WE WOULD APPRECIATE ANY FURTHER ARGUMENTATION THE DEPARTMENT CAN PROVIDE EITHER FOR THE IMMEDIATE PROBLEM OF THE PAN AM CHARTERS OR FOR THE LONGER-TERM MATTER OF MORE FAVORABLE REGULATIONS.

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